

RECEIVED

JAN 21 2003

TECH CENTER 1600/2900

Docket No. 0803

#18/K.T.
1/21
C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Habben, et al. Date: January 17, 2003
Serial No.: 09/545,334 Group Art Unit: 1635
Filed April 7, 2000 Examiner: M. Schmidt
For: "Regulated Expression of Genes in Plant Seeds"

Assistant Commissioner for Patents
Washington, D.C. 20231

This paper is being filed in response to the Office Action mailed November 18, 2002, in connection with the above-captioned case. The Examiner is requested to enter the following amendments and to consider the accompanying remarks. Reconsideration of the present application is respectfully requested.

AMENDMENT**In the Claims:**

- C1
48. (New) The method according to Claim 5 wherein said seed is from a dicotyledonous plant and said promoter is selected from the group consisting of bean β -phaseolin, napin, β -conglycinin and soybean lectin promoter.
49. (New) The method according to Claim 1 wherein the cytokinin modulating gene is selected from the group consisting of genes encoding cytokinin biosynthetic enzymes, cytokinin catabolic enzymes, cytokinin catabolic enzyme antagonists and cytokinin biosynthetic enzyme agonists.
50. (New) The method according to Claim 49 wherein said modulating gene encodes a cytokinin catabolic enzyme.
51. (New) The method according to Claim 50 wherein said modulating gene encodes cytokinin oxidase.
52. (New) The plant according to Claim 18 wherein said seed is from a dicotyledonous plant and said promoter is selected from the group consisting of bean β -phaseolin, napin, β -conglycinin and soybean lectin promoter.

Serial No. 09/545,334
Group Art Unit: 1635

53. (New) The plant according to Claim 18 wherein the cytokinin modulating gene is selected from the group consisting of genes encoding cytokinin biosynthetic enzymes, cytokinin catabolic enzymes, cytokinin catabolic enzyme antagonists and cytokinin biosynthetic enzyme agonists.

54. (New) The plant according to Claim 53 wherein said modulating gene encodes a cytokinin catabolic enzyme.

55. (New) The plant according to Claim 54 wherein said modulating gene encodes cytokinin oxidase.

Claimed
56. (New) The DNA according to Claim 30 wherein said seed is from a dicotyledonous plant and said promoter is selected from the group consisting of bean β -phaseolin, napin, β -conglycinin and soybean lectin promoter.

57. (New) The DNA according to Claim 30 wherein the cytokinin modulating gene is selected from the group consisting of genes encoding cytokinin biosynthetic enzymes, cytokinin catabolic enzymes, cytokinin catabolic enzyme antagonists and cytokinin biosynthetic enzyme agonists.

58. (New) The DNA according to Claim 57 wherein said modulating gene encodes a cytokinin catabolic enzyme.

59. (New) The DNA according to Claim 58 wherein said modulating gene encodes cytokinin oxidase.

Attached hereto is a complete set of claims as modified by current amendment. There are no changes other than addition of Claims 48-59, so no marked-up copy is attached.

In the Specification:

In accordance with CFR 1.121(b):

- (i) Please replace the paragraph which begins on page 28, line 30, ("With respect to plants...") of the application and extends to page 29, line 26 ("... Plant-Cell 5(7): 729-37 (July 1993)).")
- (ii) A replacement paragraph in clean form is attached.